

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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CARL C. GILBERT, II,

Plaintiff,

v.

STATE OF WISCONSIN, DEPT. HEALTH  
& SERVICE, *et al.*

Defendants.

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ORDER

Case No. 14-cv-427-jdp

CARL C. GILBERT, II,

Plaintiff,

v.

STATE DEPARTMENT OF HEALTH  
SERVICES (SECRETARY), *et al.*

Defendants.

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ORDER

Case No. 14-cv-466-jdp

In an order entered on June 19, 2014, in case 14-cv-427, plaintiff Carl Gilbert was told that before the court could consider his request to proceed without prepayment of the filing fee he would have to submit a motion for leave to proceed without prepayment of the filing along with a resident account statement covering the six-month period preceding the filing of his complaint so that the court could assess an initial partial payment of the filing fee. Plaintiff's initial partial payments for each of the above referenced cases cannot be calculated at this time because he has not submitted the requested resident account statement.

In response to the June 19, 2014 order, plaintiff submitted a motion for leave to proceed without prepayment of fees and a letter stating that he was enclosing the six-month

resident account statement. However, there was no six-month resident account statement enclosed and the court has yet to receive plaintiff's account statement.

If plaintiff intends to pursue his request to proceed without prepayment of the filing fee in these cases, he will need to submit a six-month trust fund account statement. The account statement must be for the six-month period immediately preceding the filing of the complaint. As explained in the June 19, 2014 order, this would be the period beginning December 10, 2013, through approximately June 10, 2014. Plaintiff should show a copy of this order to Sand Ridge Secure Treatment Center officials to insure that they are aware they should send a copy of plaintiff's resident account statement to this court. Once plaintiff has submitted the necessary statement, I will calculate his initial partial payments and advise him of the amounts he will have to pay before the court can consider his complaints. If plaintiff fails to provide his statement, these cases will be closed. To do this, I will grant him a brief extension of the deadline until August 8, 2014, to submit either his six-month resident fund account statement or to pay the \$400 filing fee in full for each case.

#### ORDER

IT IS ORDERED that plaintiff Carl C. Gilbert may have until August 8, 2014, in which to submit either the \$400 filing fee for each of his cases or a certified copy of his resident account statement for the period beginning approximately December 10, 2013, and ending approximately June 10, 2014. If, by August 8, 2014, plaintiff fails to respond to this

order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 18th day of July, 2014.

BY THE COURT:

/s/  
PETER OPPENEER  
Magistrate Judge